



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

February 25, 1992

Mr. Charles E. Galey  
Attorney  
Jones, Flygare, Galey, Brown & Wharton  
1600 Civic Center Plaza  
Lubbock, Texas 79401

OR92-78

Dear Mr. Galey:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 14851.

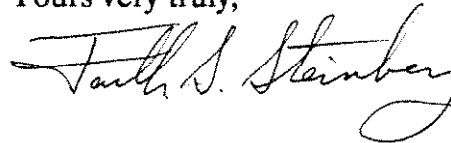
Your client, the Lubbock County Hospital District, has received a request for "daily access to all records involving dispatches of Emergency Medical Services personnel, including Aerocare flights." You seek to withhold the requested information under section 3(a)(1) of the Open Records Act, which excepts "information deemed confidential by law, either Constitutional, statutory, or by judicial decision." You argue that the Health and Safety Code, section 773.091, makes the requested information confidential. Although it is true that section 773.091(b) makes confidential "[r]ecords of the identity, evaluation, or treatment of a patient by emergency medical services personnel," *see* Open Records Decision No. 598 (1991) at 3 n.2, we are able to dispose of this request on another ground.

A governmental body has no duty under the Open Records Act to comply with a standing request to provide information "on a periodic basis." Open Records Decision No. 465 (1987) at 1 n.1. Similarly, a governmental body need not treat a request as embracing information prepared after the request was made or to inform the requestor when the information does come into existence. Open Records Decision No. 452 (1986). The requestor in this case seeks "daily access" to records. Accordingly, you are under no obligation to produce the requested information.

The requestor may of course submit another request for *specific records* at a later date.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-78.

Yours very truly,

A handwritten signature in cursive script, reading "Faith S. Steinberg". The signature is written in dark ink and is positioned above the typed name.

Faith S. Steinberg  
Assistant Attorney General  
Opinion Committee

FS/GK/lcd

Ref.: ID# 14851  
ID# 14865

cc: Mr. Burle Pettit  
Executive Editor  
Lubbock Avalanche-Journal  
P. O. Box 491  
Lubbock, Texas 79408